



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. PD-0967-17

PETER ANTHONY TRAYLOR, Appellant

v.

THE STATE OF TEXAS

**ON APPELLANT'S MOTION FOR BAIL PENDING APPEAL
UNDER ARTICLE 44.04(h), V.A.C.C.P.
FROM THE THIRTEENTH COURT OF APPEALS
COLLIN COUNTY**

ORDER

Per curiam.

Appellant was convicted of first-degree burglary in Cause No. 366-82774-2010 in 366th District Court of Collin County. The Court of Appeals reversed the conviction, rendered a judgment of second-degree burglary, and remanded the case for sentencing. *Traylor v. State*, No. 13-13-00371-CR, 2017 Tex. App. LEXIS 7379 (Tex. App. – Corpus Christi August 3, 2017). The State has filed a petition for discretionary review of that decision.

Appellant has applied to this Court under Article 44.04(h) of the Code of Criminal Procedure to set a reasonable bail pending final determination of the appeal. However, before this Court can set a reasonable bail, we must have adequate information upon which to determine a reasonable amount. *See Montalvo v. State*, 786 S.W.2d 710 (Tex. Crim. App. 1989). Appellant informs us that he “apparently” abided by the conditions of his previous bond, but he does not mention his ability to make bail, his prior criminal record, his employment record, his family ties to the community, or his length of residence in the community.

Therefore, Appellant must redraft his request for bail under Art. 44.04(h) so that this Court may set a reasonable bail.

IT IS SO ORDERED this the 13th day of December, 2017.

DO NOT PUBLISH